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EXAMINER

WILSON, BRIAN P

ART UNIT	PAPER NUMBER
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2612

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/587,038	Applicant(s) SOMMER ET AL.	
	Examiner BRIAN WILSON	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5 and 20-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5 and 20-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Summary

1. This communication is in response to arguments/amendments filed on 03/21/2011.

Claims 1, 3-5 and 20-29 are currently pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-5 and 20-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mlynarczyk (U.S. Patent 7,145,434) in view of Larson (U.S. Patent 5,245,652) and further in view of Goci (U.S. 2003/0195798).

Regarding claim 1, Mlynarczyk discloses a programming apparatus for transmitter/receiver systems for actuation of doors/gates (Fig. 14), wherein each transmitter/receiver includes at least one transmitter and associated receiver (Fig. 14, items 110, 122) for actuation of a door or gate by one of the transmitters of a transmitter/receiver system, a transmitter code is read into the associated receiver and compared with receiver codes (Fig. 14, item 110 & Col. 7, lines 14-22), the programming apparatus comprising: a computer unit for management of the transmitter codes of the transmitter/receiver system, the receiver codes of the transmitter/receiver system, and a list of codes from which the receiver codes can be selected (Fig. 14, item 130 & Fig. 5); an input unit coupled to the computer unit, the input unit

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comprising a display unit (Fig. 14, item 128; display), wherein the display unit displays the transmitter codes and the receiver codes stored in the computer unit (Fig. 5), wherein the input unit is operative to receive a list of codes from which the receiver codes are selectable from the computer unit and to display the list of codes from which the receiver codes are selectable (Fig. 5, items 22, 31, 32 & Fig. 3, item 19; sort by User Name or Lock Name & Col. 4, lines 19-30; Figures 3 and 5 are sorted by User Name showing with keys in 20 and locks in 22 indicating which locks the selected user can or cannot access, but if it is sorted by Lock Name it will show locks in 20 and keys in 22 indicating which keys the selected lock will either allow or not allow access); wherein the input unit is operative to receive a user selection of a first displayed receiver code from the displayed list of codes from which the receiver codes are selectable and is operative to assign a first transmitter code for a first transmitter to be the same as the selected first displayed receiver code (Fig. 5, items 31, 32, 22; can choose users/keys for a selected lock when sorted by Lock Name), wherein the input unit is operative to receive a user selection of a second displayed receiver code from the displayed list of codes from which the receiver codes are selectable and is operative to assign a second transmitter code for a second transmitter to be the same as the selected second displayed receiver code (comparing Fig. 3, item 22 with Fig. 5, item 22; if sorted by Lock Name any other user/key can be selected by the input unit because the first selection has been removed/blocked and is now located in 23), wherein the first and second displayed receiver codes are different (comparing Fig. 3, item 22 with Fig. 5; 22; if sorted by Lock Name second user/key selection has to be different because the first user/key has been removed from 22 and placed in 23), wherein the computer unit and the display unit are operative to remove the first displayed receiver code in the displayed list of codes from which the receiver

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codes are selectable once it has been selected and block the removed first receiver code from being further issued as a second transmitter code (once the first user/key has been chosen it is placed in 23 preventing the first user/key from being chosen a second time in 22); and interface unit coupled to the computer unit (Fig. 14, item 132), wherein the selected receiver codes and the assigned transmitter codes are issued from the computer to the receivers and transmitters via the interface unit (Col. 7, lines 1-4; the assigned transmitter codes are issued from the computer via 132, however, the selected receiver codes are issued via the key & Col. 1, lines 7-22).

However, Mlynarczyk does not specifically disclose a programming apparatus for transmitter/receiver systems for *contactless* actuation of doors/gates; wherein the computer unit and the display unit are operative to *mask* the first displayed receiver code in the displayed list of codes from which the receiver codes are selectable once it has been selected and block the *masked* first receiver code from being further issued as a second transmitter code; and wherein the selected receiver codes and the assigned transmitter codes are issued from the computer to the receivers and transmitters, *respectively, via the interface unit*.

Larson teaches a programming apparatus for transmitter/receiver systems for *contactless* actuation of doors/gates (Fig. 1, items 18, 16 & Col. 28, lines 1-17 & Col. 11, lines 7-19); and wherein the selected receiver codes and the assigned transmitter codes are issued from the computer to the receivers and transmitters, *respectively, via the interface unit* (Fig. 1, item 16). It is obvious have a programming for contactless actuation of doors and gates, and to program the transmitters and receivers through a common interface unit.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the features of Larson into Mlynarczyk. This provides a known

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alternative to Mlynarczyk's contact transmitter/receiver system, and one that can be replaced with and produce predictable results without undue experimentation. Similarly, the addition of an interface unit that can directly program transmitters and receivers of a system is a known alternative to Mlynarczyk's system, and one that can be replaced with and produce predictable results without undue experimentation.

However, Mlynarczyk in view of Larson does not specifically teach wherein the computer unit and the display unit are operative to *mask* the first displayed receiver code in the displayed list of codes from which the receiver codes are selectable once it has been selected and block the *masked* first receiver code from being further issued as a second transmitter code.

Goci teaches *masking* a selection, and preventing that selection from being chosen again ([0024]). It is obvious to highlight/mask a selection and to block that selection from being used again.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the features of Goci into Mlynarczyk in view of Larson. This provides a visual indication to a user that a code has already been selected, and is prevented from being used again. This further provides a known alternative to Mlynarczyk's removable selection, and one that can be replaced with and produce predictable results without undue experimentation.

Regarding claim 3, Mlynarczyk further discloses wherein a specific identification is associated with the transmitter codes and the receiver codes of a transmitter/receiver system (Fig. 1, item 5).

Regarding claim 4, the claim is interpreted and rejected as claim 3.

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Regarding claim 5, the claim is interpreted and rejected as claim 3.

Regarding claim 20, the claim is interpreted and rejected as claims 1 and 3.

Regarding claim 21, Mlynarczyk further discloses wherein the input unit is operative to delete the receiver codes and/or the transmitter codes (Fig. 1; Delete All Users).

Regarding claim 22, the claim is interpreted and rejected as claim 3.

Regarding claim 23, the claim is interpreted and rejected as claim 1.

Regarding claim 24, the claim is interpreted and rejected as claim 1.

Regarding claim 25, the claim is interpreted and rejected as claim 1.

Regarding claim 26, the claim is interpreted and rejected as claim 1.

Regarding claim 27, the claim is interpreted and rejected as claim 1.

Regarding claim 28, the claim is interpreted and rejected as claim 1.

4. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mlynarczykin view of Larson and Goci as applied to claim 1 above, and further in view of Kucharczyk (U.S. Patent 6,696,918).

Regarding claim 29, Mlynarczykin view of Larson and Goci does not specifically teach the interface unit comprises at least one interface for *contactless data transmission*.

Kucharczyk teaches one interface for *contactless data transmission* (Fig. 3, item 40). It is obvious to use either wireless or wired communication interfaces for programming.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the features of Kucharczyk into Mlynarczykin view of Larson and Goci. This provides the ability to remotely program transmitter and receiver systems, and provides a

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known alternative to programming with wired interfaces and produces predictable results without undue experimentation.

Response to Arguments

5. Applicant's arguments filed 03/21/2011 have been fully considered but they are not persuasive.

Applicant argues Mlynarczyk does not disclose receiving a selection of a unique serial number for a specific key and then assigning the same unique serial number to a specific lock. Instead, Mlynarczyk is silent on how each of the serial numbers are selected and what, if any, relationship one serial number has to another serial number in the system.

In response, Mlynarczyk discloses that Figure 3 can be sorted by either User Name or Lock Name. If Figure 3 is sorted by Lock Name, all locks will be in box 20, user/keys in box 22, and all user/keys for a selected lock will be placed in box 23 (Col. 4, lines 19-38). Once a first user/key from box 22 has been chosen for a selected lock in box 20, that first user/key is placed in box 23 and cannot be chosen again from box 22. If the user determines another second user/key needs access to the selected lock in box 20, that user cannot choose the first user/key a second time, i.e., that first user/key is removed from box 22 and placed in box 23 blocking it from being used again. Also Applicant's receiver codes are the same as Applicant's transmitter codes; there is no difference, just like Mlynarczyk's codes in box 22 (when sorted by Lock Name). Mlynarczyk's system receives the user/key codes and they can be displayed in box 22 (Col. 3, lines 52-53; by receiving the serial number of the iButton, and serial numbers are unique numbers) as receiver codes. Those user selected receiver codes are the transmitter codes that the

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Mlynarczyk's door lock/receivers will receive and compare with the lock's stored receiver codes before granting access to that transmitter. Those user selected receiver codes are assigned as a first transmitter code for a first transmitter in Mlynarczyk's door lock/receivers. Thus, Mlynarczyk does disclose that the input unit is operative to receive a user selection of a first displayed receiver code from a displayed list of codes from which the receiver codes are selectable and is operative to assign a first transmitter code for a first transmitter to be the same as the selected first displayed receiver code.

In response, to Applicant's argument that Larson and Goci do not teach that the input unit is operative to receive a user selection of a first displayed receiver code from a displayed list of codes from which the receiver codes are selectable and is operative to assign a first transmitter code for a first transmitter to be the same as the selected first displayed receiver code. Larson and Goci were not used to teach this limitation.

Applicant further asserts that Mlynarczyk does not teach that the input unit is operative to assign a first transmitter code for a first transmitter to be the same as the selected first displayed receiver code, and assign a second transmitter code for a second transmitter to be the same as the selected second displayed receiver code, wherein the computer unit and the display unit are operative to block the first displayed receiver code from being further issued as the second transmitter code to the second transmitter.

In response, Mlynarczyk teaches this feature as addressed above.

In response, to Applicant's argument that Larson and Goci do not teach that the input unit is operative to assign a first transmitter code for a first transmitter to be the same as the selected first displayed receiver code, and assign a second transmitter code for a second transmitter to be

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the same as the selected second displayed receiver code, wherein the computer unit and the display unit are operative to block the first displayed receiver code from being further issued as the second transmitter code to the second transmitter. Larson and Goci were not used to teach this limitation.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN WILSON whose telephone number is (571)270-5884. The examiner can normally be reached on Monday-Thursday from 8-5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer Mehmood can be reached on 571-272-2666. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BPW/

/TOAN N PHAM/

Primary Examiner, Art Unit 2612

6/3/11